

1 BILL NO. R-85-11-08

2 DECLARATORY RESOLUTION NO. R-13485

3 A DECLARATORY RESOLUTION confirming
4 the designation of an "Economic Re-
5 vitalization Area" under I.C. 6-1.1-
6 12.1.

7 WHEREAS, Common Council has previously designated by
8 Declaratory Resolution the following described property as an
9 "Economic Revitalization Area" under Division 6, Article II,
10 Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana,
11 of 1974, as amended and I.C. 6-1.1-12.1., to-wit:

12 Part of the Southwest Quarter of
13 the Northeast Quarter of Section 26,
14 Township 31 North, Range 12 East,
15 Allen County, Indiana, more parti-
16 cularly described as follows:

17 Beginning at a point on the South
18 line of the Southwest Quarter of
19 the Northeast Quarter of Section 26,
20 Township 31 North, Range 12 East,
21 Allen County, Indiana, said point
22 being 419.0 feet West of the SE
23 corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of
24 Sec. 26-31-12; thence West along
25 the South line of the SW $\frac{1}{4}$ of the
26 NE $\frac{1}{4}$ of Sec. 26-31-12, a distance
27 of 187.5 feet; thence North with a
28 deflection angle to the right of
29 89 degr. 57 min. 20 sec. parallel
30 to the East line of the SW $\frac{1}{4}$ of the
31 NE $\frac{1}{4}$ of Sec. 26-31-12, a distance
32 of 415.8 feet to a point on the
33 South right-of-way line of Fernhill
Avenue; thence East with a deflec-
tion angle to the right of 90 degr.
02 min. 40 sec. along the South
right-of-way line of Fernhill Avenue,
a distance of 187.5 feet; thence
South with a deflection angle to
the right of 89 degr. 57 min. 20 sec.
and parallel to the East line of the
SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 26-31-12, a
distance of 415.8 feet to the point
of beginning, containing 1.79 acres;

34 said property more commonly known as Fernhill Avenue--West of
35 former Austin County Restaurant, Fort Wayne, Indiana;

36 WHEREAS, recommendations have been received from the
37 Committee on Finance and the Department of Economic Development
38 concerning said Resolution;

Page Two

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 5-3-2 and a public hearing has been conducted on said Resolution;

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

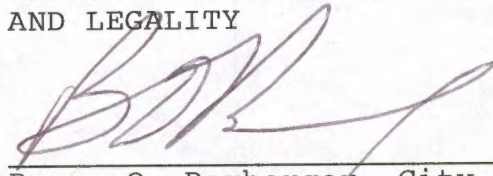
SECTION 1. That, the Resolution previously designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the above described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for one (1) year. Said designation shall terminate at the end of that one (1) year period.

SECTION 3. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by E. S. Stark,
seconded by Stark, and duly adopted, read the second time
by title and referred to the Committee Finance (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ .M., E.S.

DATE: 11-12-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by E. S. Stark,
seconded by Stark, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 11-26-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. B-134-85
on the 26th day of November, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 27th day of November, 1985,
at the hour of 1:00 o'clock P. .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 5th day of December,
1985, at the hour of 3:30 o'clock P. .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

APPLICATION FOR DESIGNATION
AS AN ECONOMIC REVITALIZATION AREA
-REAL ESTATE TAX ABATEMENT-

RECEIVED
NOV 1 1985
ECONOMIC
DEVELOPMENT

This application is to be completed and signed by the owner of the property where development or rehabilitation is to occur. The City of Fort Wayne, Indiana, reviews this application for designation as an "Economic Revitalization Area" in regards to its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977; and all subsequent amendments made by the General Assembly thereafter.

1. Applicant Ervin's Savon Furniture, Inc.
2. Owner(s) Richard M. Ervin and Mark A. Ervin
3. Address of Owner(s) Richard: 10809 Watterson Road, Churubusco,
IN 46723 Mark: 1716 Getz Road, Fort
Wayne, IN 46804
4. Telephone Number of Owner(s):(Richard: 693-9381
Mark: 432-6821
5. Relationship of Applicant to Owner(s) if any Owner/
Shareholders
6. Address of Applicant 130 South Clinton Street, Fort Wayne,
IN 46802
7. Telephone number of Applicant:(219) 422-0926
8. Address of Property Seeking Designation Fernhill Avenue--
West of former Austin County restaurant.
9. Legal Description of Property Proposed for Designation
(may be attached) See attached survey.
10. Township Washington
11. Taxing District 80

12. Current Zoning M-2
13. Variance Granted (if any) none
14. Current Use of Property
- a. How is property presently used? vacant lot
-
-
- b. What Structure(s) (if any) are on the property? none
- b. What is the condition of this structure/these structures N/A
15. Current Assessed Value of Real Estate
- a. Land 23,400--5-acre tract of which subject real estate is a part.
- b. Improvements N/A
16. Amount of Total Property Taxes Owed During the Immediate Past Year
- \$4,146.62 for 5 acres with improvements.
17. Description of Proposed Improvements to the Real Estate
- One-story, 20,000 square foot retail furniture store.
-
-
-
18. Development Time Frame
- a. When will physical aspects of development or rehabilitation begin?
- December, 1985
- b. When is completion expected? April-May 1986
19. Cost of Project (not including land costs) \$500,000

20. Permanent Jobs Resulting from Completed Project

a. How many permanent jobs will be employed at or in connection with the project after it is completed? 12

b. What is the nature of those jobs? Sales, Office,
Personnel, Warehouse workers, Truck Drivers, Managers, Custodial.

c. Anticipated time frame for reaching employment level stated above?

First year

21. Additional municipal services necessitated by installation of new manufacturing equipment (e.g. enlargement of sewer, etc.) None

22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"?

Area has not developed as industrial as anticipated and normal
development and growth would necessitate light commercial, which
should substantially improve the value of the property.

23. How will the proposed designation further the economic development objectives of the City of Fort Wayne? _____

Developing an area that is highly desirable for light commercial uses plus moving existing business from an undesirable flood-prone area.

24. Instrument Number of Commitments or Covenants Enforceably by the City of Fort Wayne or Allen County (if any). Provide brief description of same, or a copy thereof.

None.

25. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated?

Yes _____

No X

26. Financing on Project

What is the status of financing connected with this project? Industrial Revenue Bond financing through Lincoln

National Bank and Trust Company of Fort Wayne is pending.

I hereby certify that the information and representation on this Application are true and complete.

ERVIN'S SAVON FURNITURE, INC.

By: Richard M. Ervin

Signature (s) of Owners
RICHARD M. ERVIN, President

November 1, 1985
Date

By: Mark A. Ervin

MARK A. ERVIN, Secretary

November 2, 1985

Information Below to be filled in by Department of Economic Development:

Date Application Received:

Date Application Forwarded to Law Dept:

Date of Legal Notice Publication:

Date of Public Hearing:

Approved or Denied?

Date:

Allocation Area:

CERTIFICATE OF SURVEY

OFFICE OF:

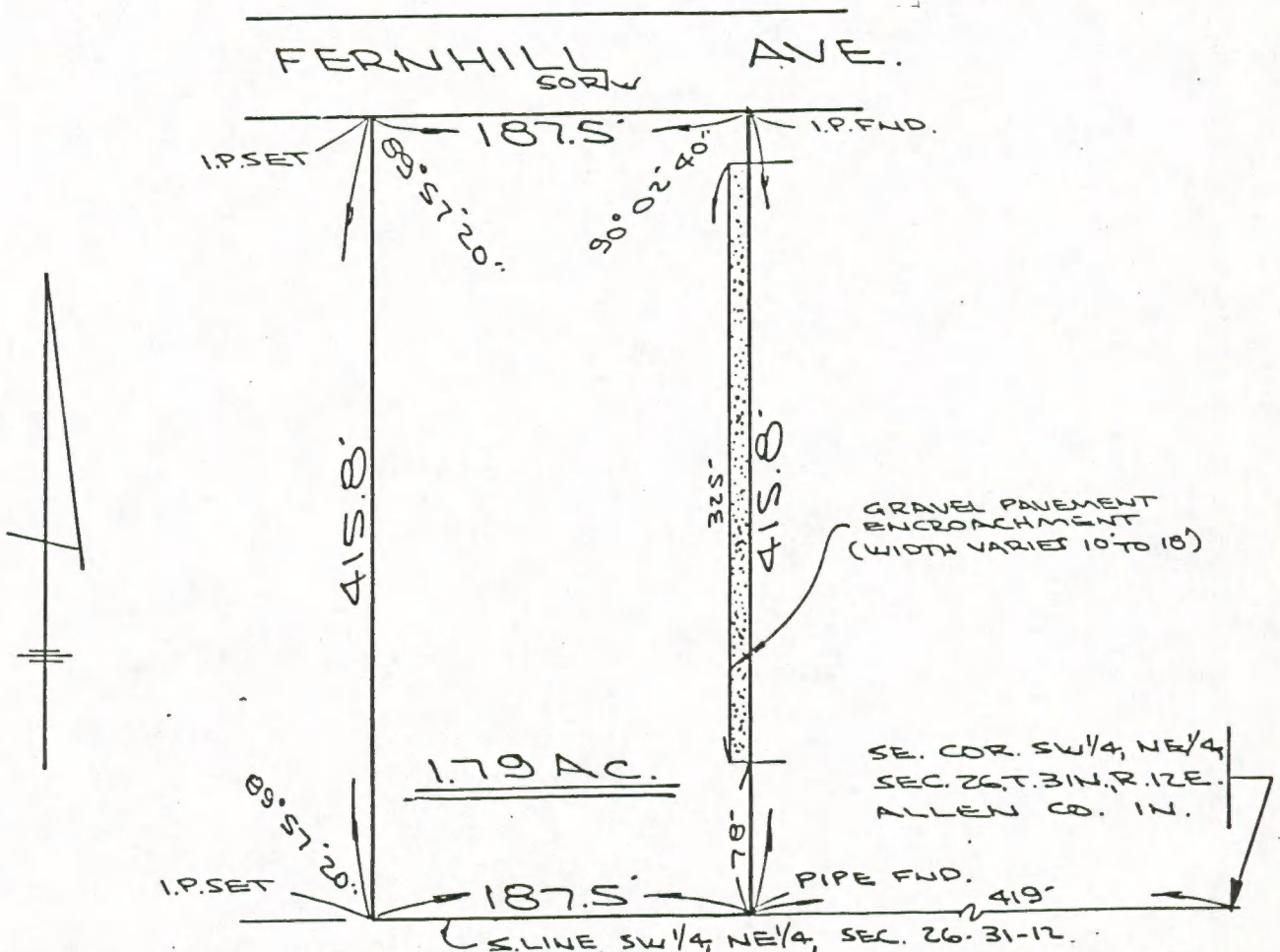
JOHN R. DONOVAN
 REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
 REGISTERED LAND SURVEYOR No. 9921 INDIANA
 FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

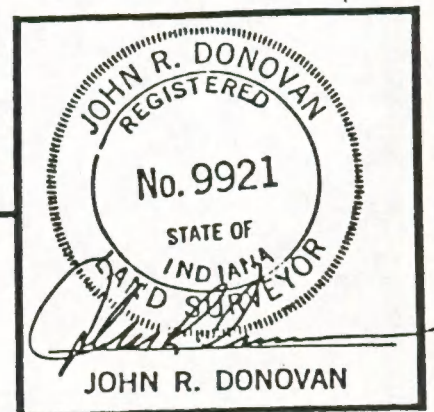
Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of the Southwest Quarter of the Northeast Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point on the South line of the Southwest Quarter of the Northeast Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, said point being 419.0 feet West of the SE corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 26-31-12; thence West along the South line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 26-31-12, a distance of 187.5 feet; thence North with a deflection angle to the right of 89 degr. 57 min. 20 sec. parallel to the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 26-31-12, a distance of 415.8 feet to a point on the South right-of-way line of Fernhill Avenue; thence East with a deflection angle to the right of 90 degr. 02 min. 40 sec. along the South right-of-way line of Fernhill Avenue, a distance of 187.5 feet; thence South with a deflection angle to the right of 89 degr. 57 min. 20 sec. and parallel to the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 26-31-12, a distance of 415.8 feet to the point of beginning, containing 1.79 acres.



NOTE: According to the Flood Insurance Rate Map (FIRM), number 180003 0005B, dated April 3, 1985, the herein described real estate is not located in a flood hazard area (Zone C).



JOB FOR: GENERAL ELECTRIC - SAVON

1" = 30'
10-4-85

SAVON FURNITURE, INC.

130 S. CLINTON
FORT WAYNE, IND. 46802

10056

PAY
TO THE
ORDER OF

11-1 1985 71-1232/49
CITY of FORT WAYNE \$ 50-
FIFTY and 00/100 DOLLARS



ANTHONY WAYNE BANK
FORT WAYNE, INDIANA 46802

FOR

For Deposit of Application Fee
11010056 1074912328 127455 01
Richard P. Murni

SAVON FURNITURE, INC.

130 S. CLINTON
FORT WAYNE, IND. 46802

10055

PAY
TO THE
ORDER OF

11-1 1985 71-1232/49
CITY of FORT WAYNE \$ 250-
TWO Hundred FIFTY and 00/100 DOLLARS



ANTHONY WAYNE BANK
FORT WAYNE, INDIANA 46802

FOR

EOC Application Fee
11010055 1074912328 127455 01
Richard P. Murni

Admn. Appr. _____

DIGEST SHEETTITLE OF ORDINANCE Declaratory Resolution

03-85-11-08

DEPARTMENT REQUESTING ORDINANCE Economic Development

SYNOPSIS OF ORDINANCE A Declaratory Resolution confirming the designation
of an "Economic Revitalization Area" under I.C. 6-1.1-12.1. (Ervin's
Savon Furniture, Inc. - Fernhill Avenue--West of former Austin County
Restaurant)

EFFECT OF PASSAGE A one-story building will be constructed on property that
is presently vacant which will develop an area that is highly desirable
for light commercial uses plus moving existing business from an unde-
sirable flood-prone area.

EFFECT OF NON-PASSAGE Opposite of the above.MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$500,000.00

ASSIGNED TO COMMITTEE (PRESIDENT) _____



The City of Fort Wayne

November 13, 1985

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.,
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of November 16, 1985, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Declaratory Resolutions

Bill No. R-85-11-05 & R-85-11-06
Bill No. R-85-11-07 & R-85-11-08
Bill No. R-85-11-09 & R-85-11-10
Bill No. R-85-11-11 & R-85-11-12
Bill No. R-85-11-13 & R-85-11-14

Please send us 4 copies of the each of the above Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 5

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-85-11-07 AND R-85-11-08)

Notice is hereby given that the Common Council of the City
of Fort Wayne, Indiana, approved a Resolution on 11-12-85,
date

designating property at Ervin's Savon Furniture, Inc., - Fernhill
Avenue - West of former Austin County Restaurant

an Economic Revitalization Area. A description of the affected area
can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether
the above described resolution should be confirmed, modified and
confirmed or rescinded on Tuesday, November 26, 1985, at 7:00 P.M.,
date, time & place
Common Council Conference Room 128, City-County Bldg., One Main Street,
Fort Wayne, Indiana

If confirmed, said designation shall continue for one (1) year after
confirmation.

All interested persons are invited to attend and be heard
at the public hearing.



Sandra E. Kennedy
City Clerk

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	4
Body	number of lines	17
Tail	number of lines	2
Total number of lines in notice		23

COMPUTATION OF CHARGES

23 lines, 1 columns wide equals 23 equivalent lines at 300¢ \$ 6.90
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra 1.00

TOTAL AMOUNT OF CLAIM \$ 7.90

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type 6 point

Number of insertions 1 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Nov. 16, 19 85

Title CLERK

Drusilla Rose

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Rose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 11/16/85

Subscribed and sworn to me before this 16th day of November, 19 85

Anne M. Perkins Notary Public

My commission expires November 29, 1989

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL
(RESOLUTIONS NO. R-85-11-07 AND R-85-11-08)
Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, approved a Resolution on 11-12-85, designating property at Ervin's Savon Furniture, Inc., - Fernhill Avenue - West of former Austin County Restaurant Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.
Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, November 26, 1985 at 7:00 P.M., Common Council Conference Room 128, City-County Bldg., One Main Street, Fort Wayne, Indiana.
If confirmed, said designation shall continue for one (1) year after confirmation.
All interested persons are invited to attend and be heard at the public hearing.
Sandra E. Kennedy
City Clerk

11/16

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines
Head number of lines
Body number of lines
Tail number of lines
Total number of lines in notice

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Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra 1.00
TOTAL AMOUNT OF CLAIM \$ 7.90

DATA FOR COMPUTING COST

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Number of insertions 1 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Nov. 16, 19 85 Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 11/16/85
Subscribed and sworn to me before this 16th day of November 19 85
Anne M. Perkins Notary Public
My commission expires November 29, 1989

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL
(RESOLUTIONS NO. R-85-11-07 AND R-85-11-08)
Notice is hereby given that the Common Council of on 11-12-85, designating property at Ervin's Savon Furniture, Inc., Fernhill Avenue- West of former Austin County Restaurant Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.
Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified or confirmed or rescinded on Tuesday, November 26, 1985 at 7:00 P.M., Common Council Conference Room 128, City-County Bldg., One Main Street, Fort Wayne, Indiana.
If confirmed, said designation shall continue for one (1) year after confirmation.
All interested persons are invited to attend and be heard at the public hearing.
Sandra E. Kennedy
City Clerk
11/16



The City of Fort Wayne

November 22, 1985

Ben Eisbart
Fort Wayne Common Council
One Main Street
Fort Wayne, IN 46802

Re: Tax Abatement Application For Ervin's Savon Furniture

Dear Mr. Eisbart:

On November 1, 1985, an application for tax abatement was filed in the office of the Department of Economic Development requesting designation of the property located at Fernhill Avenue West of Former Austin County Restaurant as an "Economic Revitalization Area" for the purposes of tax abatement. The application was then referred to the Law Department for drafting of a Declaratory Resolution.

Action

The Department of Economic Development conducted a staff review of the project on November 7, 1985. A formal review of the site and an interview with Richard Ervin was conducted.

Recommendation

Based upon the above action, the Department of Economic Development is recommending to the Common Council a "Do Pass" to your Declaratory Resolution designating:

"SEE ATTACHED"

As an "Economic Revitalization Area" for purposes of I.C. 6-11-12.1, as enacted by the General Assembly of the State of Indiana.

Mr. Eisbart
Page 2
November 22, 1985

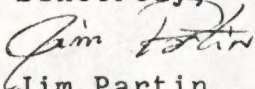
Rationale

The above stated recommendation is based upon the following rationale:

Effective Utilization of Vacant Under-Utilized Land
Lack of Development
Improve the Physical Appearance of the City
Increase in Employment (12) Jobs

If you need any additional information, please do not hesitate to contact me at 427-1127.

Sincerely,



Jim Partin
Business Planning Specialist
Department of Economic Development

de

BILL NO. R-85-11-08

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (~~ORDINANCE~~) (RESOLUTION) a declaratory resolution
confirming the designation of an "Economic Revitalization Area" under
I.C. 6-1.1-12.1

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION) DO PASS DO NOT PASS WITHDRAWN
YES NO

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

SAMUEL J. TALARICO

THOMAS C. HENRY

JAMES S. STIER

CONCURRED IN 11-26-85

SANDRA E. KENNEDY
CITY CLERK